

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION – KANSAS CITY**

GEICO GENERAL INSURANCE)	
COMPANY, et al.,)	
)	
Plaintiffs)	
)	
v.)	Case No. 4:22-cv-00082-CV-W-FJG
)	
MARTIN BRAUNER, et al.,)	
)	
Defendants.)	
)	
and)	
)	
MARTIN BRAUNER, et al.)	
)	
Counter-plaintiffs,)	
)	
v.)	
)	
GEICO GENERAL INSURANCE)	
COMPANY, et al.,)	
)	
Counter-defendants.)	

NOTICE OF REMAND OF RELATED MISSOURI ACTION

Defendants GEICO General Insurance Company and Government Employees Insurance Company (collectively “GEICO”) respectfully inform the Court of the January 10, 2023 opinion from the Missouri Supreme Court in the underlying tort action captioned *M.O. v. GEICO General Insurance Company, et al.*, No. SC99732 (Mo. 2023). The Missouri Supreme Court determined that GEICO had a right to intervene before judgment, vacated the judgment, and remanded the case to the trial court to allow for GEICO’s intervention. Thus, as GEICO explained in its summary judgment briefing before this Court, there has been no final judgment in the underlying tort case. *See, e.g.*, ECF No. 159, GEICO’s Reply in Supp. Mot. Summ. J., at *5; ECF No. 160, GEICO’s

Opp'n. to Brauner's Mot. Summ. J., at *11 n.9. A copy of that Missouri Supreme Court opinion is attached hereto as **Exhibit A**.

Dated: February 6, 2023

Respectfully submitted,

SHOOK, HARDY & BACON L.L.P.

By: /s/ Douglas S. Beck

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing was filed and served via the Court's electronic filing system on February 6, 2023, upon all counsel of record.

/s/ Douglas S. Beck